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Hearing Date:
February 9, 2009
2:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

**NOTICE OF MOTION
TO QUASH SUBPOENA**

LEXINGTON PRECISION CORP., et al.,

Chapter 11
Debtors. Case No. 08-11153 (mg)

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PLEASE TAKE NOTICE, that Capital One Leverage Finance Corporation ("Capital One") by and through its attorneys LAZER, APTHEKER, ROSELLA & YEDID, P.C., shall move before the Hon. Martin Glen, a United States Bankruptcy Judge, Southern District of New York, for the entry of an Order quashing the subpoena served by the Attorney for the Official Committee of Unsecured Creditors herein upon Capital One Leverage Finance Corporation pursuant to Rule 45 of the Federal Rules of Civil Procedure as made applicable to this Proceeding by Rule 9016 of the Federal Rules of Bankruptcy Procedure on February 9, 2009 at 2:00 p.m. or as soon thereafter as counsel may be heard, at Courtroom 501 in the United States Bankruptcy Court, One Bowling Green, New York, New York 10004.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief sought in the application must conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, as modified as any administrative orders entered in this case and be filed with the Bankruptcy Court electronically in accordance with General Order No. 462, by registered users of the Bankruptcy case court filing system and, by all other parties in interest, on a 3.5" disk, preferably in portable document format (PDF), WordPerfect, Microsoft Word, DOS Text (ASCII) or a scanning image of the filing, with a hard copy delivered directly to chambers and served in accordance with General Order No. 462 and upon the firm of LAZER, APTHEKER, ROSELLA & YEDID, P.C., 225 Old Country Road, Melville, New York 11747 and the Office of the United States Trustee so as to receive no later than 5:00 p.m. on February 5, 2009.

PLEASE TAKE FURTHER NOTICE that only those objections that have been timely filed may be considered by the Court.

Dated: Melville, New York
January 20, 2008

LAZER, APTHEKER, ROSELLA
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By: 

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